



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of
HOSMANE et al.

Serial No. 10/679,429

Filed: October 7, 2003

For: RING EXPANDED NUCLEOSIDES AND NUCLEOTIDES

Confirmation No. 3460
Attny. Docket No. 46481

Group Art Unit: 1623

Examiner: Khare, D.

**FILED UNDER RULE 1.116
EXPEDITED PROCEDURE**

TRANSMITTAL OF RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Response in the above-captioned application. The fee has been calculated as shown below. (*Small entity fees indicated in parentheses.*)

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For		Extra Claims	Rate
Total Claims	46	-	46		0	50.00
(<i>Small Entity</i>)						(25.00)
Independent claims	8	-	8		0	200.00
(<i>Small Entity</i>)						(100.00)
Multiple Dependent	0	-	0		0	360.00
(<i>Small Entity</i>)						(180.00)
Extension of Time	One Month		Two Months		Three Months	Four Months
Fee	\$120		\$450		\$1,020	\$1,590
(<i>Small Entity</i>)	(\$60)		(\$225)		(\$510)	\$795
IDS						\$0
Total						\$1,020.00

The above fees are believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 50-0687 under the above Attorney Docket Number for which purpose this paper is submitted in duplicate. **CUSTOMER NO. 20736**

Respectfully submitted,

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Date: **January 23, 2006**

January 22, 2006-Sunday

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Title: RING EXPANDED NUCLEOSIDES AND NUCLEOTIDES

* * * * *

January 23, 2006
(January 22, 2006=Sunday)

RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Reconsideration and allowance of this application is respectfully requested in view of the following new observations, referencing new technical journal articles.

The applicants note with appreciation in the Office Action dated July 22, 2005, the withdrawal of the rejection of claims 24-69 under the judicially created doctrine of obviousness-type double patenting over claims in U.S. Patent No. 6,677,310.

In response to the Office Action, the applicants respectfully traverse the rejection of claims 24-69 under 35 USC 102(e) in view of Hosmane et al. ,USP 5,843,912. This reference does not anticipate the presently claimed invention or make it obvious.

The applicants assert that the Office Action refers to non-existing passages in the cited reference of Hosmane et al. The Office Action states that the formulas II, III and IV compounds of Hosmane et al. are disclosed at column 15, lines 25-65 and column 16,